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VIA UPS OVERNIGHT MAIL

January 20, 2010

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001



**Re: STB Docket No. AB-6 (Sub. No. 468X); BNSF Railway Company—Abandonment
Exemption – in Kootenai County, ID**

Dear Ms. Brown:

Please reference the STB decision served on November 27, 2009, in the above-referenced docket. Pursuant to the condition requiring BNSF to retain its interest in the line until completion of the Section 106 process, enclosed is a letter from the Idaho State Historical Society ("SHPO") stating its finding of "no effect" for purposes of compliance with Section 106 Review (36CFR800).

Therefore, BNSF requests that the Section 106 condition of the National Historic Preservation Act, 16 U.S.C. 470f, be removed.

If you have any questions, please call me at (817) 352-3394.

Sincerely,


Kristy D. Clark
General Attorney

KDC/js

cc: Victoria Rutson, STB
Susan Pengilly, SHPO
Susan Odom

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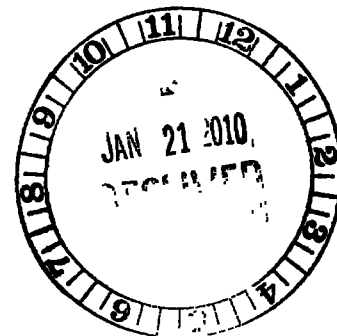


John Sims

REC'D LAW DEPT.

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FORT WORTH



"The History and Preservation People" November 12, 2009

Our mission: to educate
through the identification,
preservation, and interpretation
of Idaho's cultural heritage.
www.idahohistory.net

C.L. "Butch" Otter
Governor of Idaho

Janet L. Gallimore
Executive Director

Kristy D. Clark, General Attorney
BNSF Railway company
PO Box 961039
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RE: STB Docket No. AB-6 (Sub-No. 468); BNSF Railway Company –
Abandonment Exemption – Kootenai County, Idaho.

Administration
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office (208) 334-2682
Fax (208) 334-2774

Archaeological Survey of Idaho
210 Main Street
Boise, Idaho 83702-7264
Office (208) 334-3847
Fax (208) 334-2775

Historical Museum and
Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7695
Office (208) 334-2120
Fax (208) 334-4059

Historic Preservation Office
210 Main Street
Boise, Idaho 83702-7264
Office (208) 334-3861
Fax (208) 334-2775

Historic Sites Office
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office (208) 334-2844
Fax (208) 334-3225

Public Archives and
Research Library
2205 Old Penitentiary Road
Boise, Idaho 83712-8250

Public Archives
Office (208) 334-2620
Fax (208) 334-2626

Research Library
Office (208) 334-3356
Fax (208) 334-3198

Oral History
Office (208) 334-3863
Fax (208) 334-3198

Dear Ms. Clark,

Thank you for your letter of July 17, 2009, and the follow-up information and historic report regarding the abandonment of the 6.24 mile rail line in Coeur d'Alene, Idaho. Based on that information, neither the railroad route, nor the bridge at milepost 7.61, meet the eligibility criteria for the National Register of Historic Places. The proposed abandonment, therefore, constitutes a finding of "no effect" for purposes of compliance with Section 106 Review (36CFRPart800).

Thank you for the opportunity to comment. If you have any questions, please contact us.

Sincerely,

Donald H. Wells

for Susan Pengilly
Deputy State Historic Preservation Officer

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